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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,914	12/14/2000	Thomas S. Neary	92220/12408	8976

7590 08/14/2003

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EXAMINER
ELAHEE, MD S

ART UNIT	PAPER NUMBER
2697	4

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/417,914	10/13/1999	TAKAYOSHI TOGINO	PM-264098	8120

7590 07/31/2003

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NGUYEN, LUONG TRUNG

ART UNIT	PAPER NUMBER
2612	

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/736,914	Applicant(s) NEARY, THOMAS S.	
	Examiner Md S Elahee	Art Unit 2697	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-24 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-24 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Response to Arguments

1. Applicant's arguments mailed on 05/06/03 have been fully considered but they are not persuasive.

2. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 6 and 7 are objected to because of the following informalities: both of the claims have used the same claimed word 'CVF' which is appeared to be 'CFV'. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4, 6-12, 14 and 16-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Dans (U.S. Patent No. 6,195,417).

Regarding claims 1 and 11, Dans teaches storing predetermined prompt data to be provided by the interactive voice response (IVR) in response to specific data inputs (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36; 'interactive voice response' reads on the claim 'interactive audio system').

Dans further teaches sending a first data input responsive to a Dial action received from the interactive voice response (IVR) (fig.4; col.9, lines 33-36, 50-53; 'Dial action' reads on the claim 'first prompt signal' and 'interactive voice response (IVR)' reads on the claim 'interactive audio system').

Dans further teaches receiving Verify Account action responsive to the first data input and including checking account number (fig.4; col.9, lines 33-36, 50-55; 'Verify Account action' reads on the claim 'a second prompt signal' and 'checking account number' reads on the claim 'coded signals representing content of an utterance label').

Dans further teaches validating entry in response to Verify Account action against the entry as represented by the recorded prompt data (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'validating' reads on the claim 'comparing', 'entry' reads on the claim 'content of said utterance label, as represented by such coded signals', 'Verify Account action' reads on the claim 'a second prompt signal' and 'the entry as represented by the recorded prompt data' reads on the claim 'content of an expected utterance label, as represented by the predetermined prompt data').

Regarding claims 2 and 12, Dans further teaches a call connection to the interactive voice response, activating the action mode by sending the action sequence code (fig.4; col.2, lines 41-46, col.9, lines 33-36, 50-57; 'interactive voice response' reads on the claim 'interactive audio system').

Regarding claims 3 and 16, Dans teaches that providing a record of discrepancies identified by comparing content in step (d) (col.7, lines 1-5, 18-50).

Regarding claim 4, Dans teaches sending a second data input responsive to a Dial action received from the interactive voice response (IVR) (fig.4; col.9, lines 33-36, 50-53; 'Dial action' reads on the claim 'first prompt signal' and 'interactive voice response (IVR)' reads on the claim 'interactive audio system').

Dans further teaches receiving Verify Funds action responsive to the second data signal (fig.4; col.9, lines 33-36, 50-57; 'Verify Funds action' reads on the claim 'a third prompt signal').

Dans further teaches validating entry included in the Verify Funds action against the recorded prompt data (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'validating' reads on the claim 'comparing', 'entry' reads on the claim 'content of an utterance label represented by coded signals', 'Verify Funds action' reads on the claim 'a third prompt signal' and 'the recorded prompt data' reads on the claim 'the predetermined prompt data').

Regarding claim 6, Dans further teaches that the interactive voice response (IVR) is adapted to enable activation of the action mode by transmission of an action mode activation command remotely to the interactive voice response (IVR) (fig.4; col.2, lines 42-67, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'interactive voice response (IVR)' reads on the claim 'interactive audio system' and 'action' reads on the claim 'CFV').

Regarding claim 7, Dans teaches that the interactive voice response (IVR) is adapted to enable activation of the action mode on a per call basis (fig.4; col.2, lines 42-67, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'interactive voice response (IVR)' reads on the claim 'interactive audio system' and 'action' reads on the claim 'CFV').

Regarding claim 8, Dans teaches that the interactive voice response (IVR) is responsive to action sequence code to activate the action mode when the mode is currently deactivated (fig.4; col.2, lines 42-67, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'interactive voice response (IVR)' reads on the claim 'interactive audio system' and 'action' reads on the claim 'CFV').

Regarding claim 9, Dans further teaches the interactive voice response (IVR) is an interactive voice response telephone system (abstract; fig.4; col.9, lines 33-36; 'interactive voice response (IVR)' reads on the claim 'interactive audio system').

Regarding claim 10, Dans teaches that a calling computer having access to the predetermined prompt data, to script data for calls placed to the interactive voice response (IVR), and to stored received prompt signals (fig.4; col.2, lines 42-67, col.8, lines 17-28, 46-67, col.9, lines 1-23, 33-36, 50-57; 'calling computer' reads on the claim 'automated call generator' and 'interactive voice response (IVR)' reads on the claim 'interactive audio system').

Regarding claim 14, Dans teaches providing an interactive voice response (IVR) system having a selectable action in which entry responsive to an incoming call is represented by coded signals included in prompt signals, the action selectable by a action sequence code (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'action' reads on the claim 'call-flow verification (CFV) mode' and 'entry' reads on the claim 'content of an utterance').

Dans further teaches storing predetermined prompt data to be provided by the interactive voice response (IVR) in response to specific data inputs (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36; 'interactive voice response' reads on the claim 'interactive audio system').

Dans further teaches activating the action mode by sending the action sequence code (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-57; 'action' reads on the claim 'CFV mode').

Dans further teaches sending a first data input responsive to a Dial action received from the interactive voice response (IVR) (fig.4; col.9, lines 33-36, 50-53; 'Dial action' reads on the claim 'first prompt signal' and 'interactive voice response (IVR)' reads on the claim 'interactive audio system').

Dans further teaches receiving from the interactive voice response (IVR) Verify Account action responsive to the first data input (fig.4; col.9, lines 33-36, 50-55; 'interactive voice response (IVR)' reads on the claim 'interactive audio system' and 'Verify Account action' reads on the claim 'a second prompt signal').

Dans further teaches validating entry in response to Verify Account action against the entry as represented by the recorded prompt data (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'validating' reads on the claim 'comparing', 'entry' reads on the claim 'content of said utterance label, as represented by such coded signals', 'Verify Account action' reads on the claim 'a second prompt signal' and 'the entry as represented by the recorded prompt data' reads on the claim 'content of an expected utterance label, as represented by the predetermined prompt data').

Regarding claim 17, Dans teaches that at least one numeric digit indicating the action mode is to be activated (col.9, lines 1-23, 33-36, 50-57, col.10, lines 1-6, 56-67, col. 11, lines 1-15; 'numeric digit' reads on the claim 'identification digit' and 'action' reads on the claim 'CFV mode').

Dans further teaches that at least one separator indicating whether to include or exclude the utterance when providing an audio signal which includes the DTMF signals representing the content of such utterance (col.10, lines 1-6, 56-67, col. 11, lines 1-15; 'separator' reads on the claim 'frame digit').

Dans further teaches that at least one banking routing code, checking account number, check number or amount of the transaction identifying the number of characters of an utterance which are to be represented by the DTMF signals representing content of that utterance (col.10, lines 1-6, 56-67, col.11, lines 1-15; 'one banking routing code, checking account number, check number or amount of the transaction' reads on the claim 'extent digit').

Regarding claim 18, Dans teaches that the at least one banking routing code, checking account number, check number or amount of the transaction identifies one of: a specific number of alphanumeric characters; and all of such characters of the utterance (col.2, lines 42-67, col.10, lines 1-6, 56-67, col.11, lines 1-15; 'one banking routing code, checking account number, check number or amount of the transaction' reads on the claim 'extent digit').

Regarding claim 19, Dans teaches that the at least one numeric digit indicates both activation of an inactive action mode and deactivation of a previously activated action mode (col.9, lines 1-23, 33-36, 50-57, col.10, lines 1-6, 56-67, col.11, lines 1-15; 'numeric digits' reads on the claim 'identification digits' and 'action' reads on the claim 'CFV mode').

Regarding claim 20, Dans teaches that the code includes two numeric digits to control activation of the action mode (col.9, lines 1-23, 33-36, 50-57, col.10, lines 1-6, 56-67, col.11, lines 1-15; 'numeric digits' reads on the claim 'identification digits' and 'action' reads on the claim 'CFV mode').

Regarding claim 21, Dans teaches a bank enrollment system to provide coded signals representative of content of utterances in coded format for inclusion in prompt signals (fig.4; col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'bank enrollment system' reads on the claim 'encoding circuit').

Dans further teaches a workstation to enable activation of the bank enrollment system so that prompt signals provided by the system include such coded signals (fig.4; col.6, lines 15-18, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'workstation' reads on the claim 'activation circuit' and 'bank enrollment system' reads on the claim 'encoding circuit').

Regarding claim 22, Dans teaches that a combination of an utterance and coded signals representative of content thereof; and coded signals representative of an utterance, without inclusion of such utterance (col.2, lines 41-67).

Regarding claim 23, Dans teaches that the workstation enables activation of the bank enrollment system to cause the coded signals included in a prompt signal to represent all characters of an utterance label represented by such coded signals (fig.4; col.2, lines 41-67, col.6, lines 15-18, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'workstation' reads on the claim 'activation circuit' and 'bank enrollment system' reads on the claim 'encoding circuit').

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 5, 13, 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dans (U.S. Patent No. 6,195,417) and in view of Hank et al. (U.S. Patent No. 6,321,198).

Regarding claims 5, 13, 15 and 24, Dans teaches that the coded signals comprise DTMF signals representing response (fig.4; col.2, lines 41-67, col.6, lines 15-18, col.8, lines 46-67, col.9, lines 1-23, 33-36, 50-55; 'response' reads on the claim 'utterance label'). However, Dans fails to teach "utterance label characters in ASCII format". Hank teaches caller speech converted in ASCII format (col.3, lines 40-44; 'caller speech converted' reads on the claim 'utterance label characters'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dans to represent utterance label characters in ASCII format as taught by Hank. The motivation for the modification is to introduce ASCII characters so that it can be recognized and understood by other computers and by communication devices.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703)305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

M.E.

MD SHAFIUL ALAM ELAHEE
July 22, 2003

SCOTT L. WEAVER
PRIMARY EXAMINER
Art Unit 2645